

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	AT-RISK AFTER SCHOOL PROGRAMS POLICY & PROCEDURE MANUAL	7/1/03	2/12	1	1.5
CHAPTER Chapter 1. Introduction		SUBJECT Definitions			

“**Administrative costs**” means costs incurred by an institution related to planning, organizing, and managing a food serviced in the Program, and allowed by the State Agency financial management instruction.

“**Administrative review**” means the fair hearing provided upon request to an institution that has been given notice by the State agency of any action or proposed action that will affect their participation or reimbursement under the Program.

“**Administrative review official**” means the independent and impartial official who conducts the administrative review.

“**Area eligible**” “**Low income area**” means a geographical area served by a school in which 50 percent or more of the children enrolled are eligible for free or reduced-price school meals under the National School Lunch Program and the School Breakfast Program.

“**At-risk afterschool care center**” means an **outlet** located in a low-income area and approved by the State agency, in accordance with Program regulations, to be reimbursed at the “free” rate for snacks or meals served to children through the age of 18 who participate in the facility’s afterschool care program.

“**At-risk afterschool meal**” means a meal that meets the requirements described in §226.20(b)(6) and/or (c)(1), (c)(2), or (c)(3), that is reimbursed at the appropriate free rate and is served by an *At-risk afterschool care center* as defined in this section, which is located in a State designated by law or selected by the Secretary as directed by law.

“**At-risk afterschool snack**” means a snack that meets the requirements described in §226.20(b)(6) and/or (c)(4) that is reimbursed at the free rate for snacks and is served by an *At-risk afterschool care center* as defined in this section.

“**At-risk after school program**” means a program that provides educational or enrichment activities in an organized, structured, and supervised environment for school age children.

“**Block Claim**” means a claim for reimbursement submitted by a facility on which the number of meals claimed for one or more type (snack or supper) is identical for 15 consecutive days within a claiming period.

“**Child care facility**” means a licensed or approved child care center, at-risk afterschool care center, day care home, emergency shelter, or outside-school-hours care center under the auspices of a sponsoring organization.

“**Children**” means (a) Persons 12 years of age and under, (b) Children of migrant workers 15 years of age and under, (c) Persons with mental or physical handicaps, as defined by the state, enrolled in an institution or a child care facility serving a majority of persons 12 years of age or under, and (d) for at-risk afterschool care centers, persons age 18 and under at the start of the school year

“Disqualified” means the status of an institution, a responsible principal or responsible individual, or an at-risk center that is ineligible for participation.

“Enrolled child” means a child whose parent or guardian has submitted to an institution a signed document indicating that the child is enrolled for childcare. Daily attendance documentation is required in place of enrollment at an at-risk after school program participating in the CACFP.

“Facility” means a sponsored center, or family day care home.

“Family” means a group of related or non-related individuals, who are not residents of an institution or boarding house, but who are living as one economic unit.

“Federal Fiscal year” means a period of 12 calendar months beginning October 1 of any year and ending with September 30 of the following year.

“Food service management company” means an organization other than a public or private non-profit school, with which an institution may contract for preparing and, unless otherwise provided for, delivering meals, with or without milk for use in the Program.

“For-profit center” means a child care center, outside-school-hours care center, or adult day care center providing nonresidential care to adults or children that does not qualify for tax-exempt status under the Internal Revenue Code of 1986. For-profit centers serving adults must meet the criteria described in paragraph (a) of this definition. For-profit centers serving children must meet the criteria described in paragraphs (b)(1) or (b)(2) of this definition, except that children who only participate in the at-risk afterschool snack and/or meal component of the Program must not be considered in determining the percentages under paragraphs (b)(1) or (b)(2) of this definition.

“Free meal” means a meal served to a child who is automatically eligible for free meals by virtue of participating in an approved at-risk afterschool care program; for which the participant shall not be required to pay in order to receive a free meal.

“Household” means family as defined under the definition of family.

“Income to the program” means any funds used in an institution’s food service program including, but not limited to, all monies, other than Program payments, received from other Federal, State, intermediate, or local government sources; payment for children’s meals and food service fees; income from any food sales to adults, and other income, including grants from organizations or cash donations from individuals.

“Independent center” means any single child care center, outside-school-hours care center, or at-risk after school center which enters into an agreement with the State agency to assume final administrative and financial responsibility for Program operations.*

“Institution” means a sponsoring organization, emergency shelter, childcare center, at-risk after school center, outside-school-hours care center, emergency shelter, or adult day care center, which enters into an agreement with the State agency (MDHSS) to assume final administrative and financial responsibility for Program operations.

“Internal controls” means the policies, procedures, and organizational structure of an institution designed to reasonably assure that (a) the Program achieves its intended result; (b) Program resources are used in a manner that protects against fraud, abuse, and mismanagement and in accordance with law, regulations, and

guidance; and (c) timely and reliable Program information is obtained, maintained, reported, and used for decision-making.

“Meals” means food that is served as a snack or supper to participants at an institution or at-risk after school program that meet the nutritional requirements of the Program.

“Milk” means pasteurized fluid types of unflavored or flavored milk, low fat, skim, , or cultured buttermilk that meet State and local standards for such milk. All milk should contain vitamins A and D at levels specified by the Food and Drug Administration and should be consistent with state and local standards for such milk.

“National disqualified list” means the list of institutions, responsible principals and responsible individuals, and day care homes disqualified from participation in the Program.

“Non-profit food service” means all food service operations conducted by the institution principally for the benefit of participating children, and in which all of the Program reimbursement funds are used solely for the operation or improvement of such food service.

“Notice” means a letter sent by certified mail, return receipt , by facsimile, or by email, that describes an action proposed or taken by a State agency or sponsoring organization with regard to an institution’s Program reimbursement or participation. If the notice is undeliverable, it is considered to be received by the institution, responsible principal or responsible individual five days after being sent to the addressee’s last known mailing address, facsimile number, or email address.

“Operating costs” means expenses incurred by an institution in serving meals to children under the Program and allowed by the State agency financial management instruction, FNS 796-2 Rev 3.

“Outside School Hours Care Center” means an outlet approved to provide meal service to enrolled children (through the age of 12) enrolled in child care during hours outside of school.*

“Person(s) with disabilities” means anyone who has a mental or physical impairment which substantially limits one or more of their major life activities; or has a record of such impairment; or is regarded as having such impairment.

“Principal” means any individual who holds a management position within, or is an officer of, an institution or a sponsored center, including all members of the institution’s board of directors or the sponsored center’s board of directors.

“Program” means the Child and Adult Care Food Program (CACFP) authorized by Section 17 of the National School Lunch Act, as amended.

“Reimbursement” means Federal financial assistance paid or payable to institutions for Program costs within the rates assigned by the State agency.

“Responsible principal or responsible individual” means a principal, whether compensated or uncompensated, or any other individual employed by, or under contract with, an institution or sponsored center which the State agency determines to be responsible for an institution’s serious deficiency.

“Seriously deficient” means the status of an institution or center that has been determined to be non-compliant in one or more aspects of its operation of the Program.

“Sign-in sheet or enrollment roster” means documentation that verifies the total number of children in attendance in the after school care program.

“Sponsoring organization” means any public, private non-profit, or for-profit organization which enters into an agreement with the State agency (MDHSS) to assume final administrative and financial responsibility for program operations in two or more sponsored facilities.*

“State agency” means the State agency that has been designated by the Governor or the appropriate executive, or by the legislative authority of the State, and has been approved by the Department to administer the Program within the state or in states in which the USDA – FNS administers the Program. In Missouri, the Missouri Department of Health and Senior Services, Bureau of Community Food and Nutrition Assistance is the State agency for the CACFP and Summer Food Service Program (SFSP).

“Suspended” means the status of an institution that is temporarily ineligible for participation on CACFP (including Program payments).

“Suspension review” means the review provided, upon the institution’s request, to an institution that has been given a notice of intent to suspend participation (including Program payments), based on a determination that the institution has knowingly submitted a false or fraudulent claim.

“Suspension review official” means the independent and impartial official who conducts the suspension review.

“Termination for cause” means the termination of an at-risk Program contract by either the sponsoring organization or the at-risk facility, due to considerations unrelated to either party’s performance of Program responsibilities under the agreement.

“Termination for convenience” means termination of an at-risk Program contract by either the sponsoring organization or the facility, due to considerations unrelated to either party’s performance of Program responsibilities under the agreement.

“Unannounced review” means an on-site review for which no prior notification is given to the facility or institution.

Reference: 7 CFR 226.2

*CACFP 04-2012, January 25, 2012